

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

ANTHONY DELVECCHIO,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/1/2022

No. 19 CR 396 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

On May 30, 2019, Anthony Delvecchio (“Defendant”) pled guilty to a superseding information charging him with one count of Distribution and Possession with Intent to Distribute a Controlled Substance in violation of 21 U.S.C. § 841(b)(1)(C). (ECF No. 22.) On October 31, 2019, Defendant was sentenced to five months’ imprisonment followed by three years of supervised release to include five months of location monitoring. (ECF No. 33.) On December 2, 2021, the Court received an unopposed motion for early termination of supervised release from Defendant. (ECF No. 35.) The motion requests the Court terminate Defendant’s term of supervised release pursuant to 18 U.S.C. § 3583(e)(1) and Fed. R. Crim. P. Rule 32.1. (*Id.*) The motion states that Defendant has successfully completed five months of location monitoring without incident, his treatment with Dr. Kessler at Psychodiagnostic Services, and paid his \$100 special assessment fee. (*Id.*) On December 9, 2021, the Court denied the application as premature. (ECF No. 36.)

On January 13, 2022, Defendant filed a second motion for early termination of probation, and on March 23, 2022, Defendant filed a motion for reconsideration. (ECF Nos. 37 & 38.) The motion for reconsideration includes an email from Probation stating they recommend early

termination. (ECF No. 38-1.) The Court directed the Government to respond to the motions, which it did on March 31, 2022 stating it supports Defendant's request. (ECF No. 40.)

Pursuant to 18 U.S.C. § 3583(e)(1), the Court may "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." Therefore it is

ORDERED that the Defendant's motion to terminate his term of supervised release is hereby granted.

The Clerk of Court is directed to terminate the motions at ECF Nos. 37 & 38.

Dated: April 1, 2022
White Plains, New York

SO ORDERED:

A handwritten signature in blue ink, appearing to read "Nelson S. Román", is written over a light blue rectangular background.

NELSON S. ROMÁN
United States District Judge